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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/803,502 | 03/17/2004 | Brian Kevin Paul | 245-68071 |

24197
 KLARQUIST SPARKMAN, LLP
 121 SW SALMON STREET
 SUITE 1600
 PORTLAND, OR 97204



CONFIRMATION NO. 5691

FORMALITIES LETTER

OC000000012849011

Date Mailed: 06/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/30/2004 BSAYAS11 00000045 10803502

FILED UNDER 37 CFR 1.53(b)

| | |
|------------|-----------|
| 01 FC:2001 | 385.00 OP |
| 02 FC:2201 | 43.00 OP |
| 03 FC:2202 | 225.00 OP |
| 04 FC:2051 | 65.00 OP |

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 28.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 25 & 26 too dark.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$450** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.


SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1350** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$450**
 - **\$450** for **25** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



SCS 8/26/04 245-68071-01 299265.doc

PATENT
Attorney Reference Number 245-68071-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Paul et al.

Application No. 10/803,502

Filed: March 17, 2004

Confirmation No. 5691

For: METHOD FOR MAKING DEVICES
HAVING INTERMETALLIC
STRUCTURES AND INTERMETALLIC
DEVICES MADE THEREBY

Examiner: Not yet assigned

Art Unit: 3729

Attorney Reference No. 245-68071-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)

Date Mailed August 26, 2004

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ALEXANDRIA, VA 22313-1450

MISSING PARTS TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Copy of Notice to File Missing Parts of Application--Filing Date Granted
- ☒ Basic Filing Fee of \$385.00
- ☒ Additional claim fee of \$268.00
- ☒ Combined Declaration and Power of Attorney
- ☒ Surcharge for Late Filing of Fee or Oath or Declaration
- ☒ \$65.00 - Small Entity
- ☒ 28 sheets of formal drawings

CLAIMS AS FILED

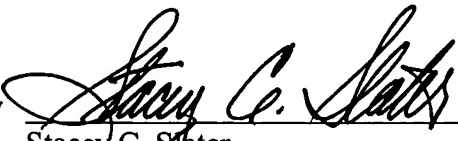
| For | Claims Filed | Number Free | Number Extra | Rate | Basic Fee |
|-----------------------------|-----------------|----------------|-----------------|---------|-----------|
| Total Claims | 45 | 20 | = 25 | \$9.00 | \$ 225.00 |
| Independent Claims | 4 | 3 | = 1 | \$43.00 | \$ 43.00 |
| One-month Extension of Time | | | | \$55.00 | \$55.00 |
| TOTAL FILING FEE | | | | | \$708.00 |

- ☒ Applicants petition for a one-month time extension. If an additional extension of time is required please consider this a petition therefor.

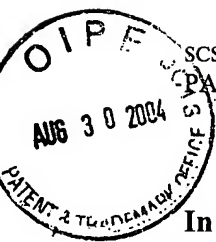
- ☒ Two checks in the amount of \$718.00 and \$55.00 to cover the above-listed fees.
- ☒ Small entity status is claimed for this application.
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
Stacey C. Stater
Registration No. 36,011

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cc: Docketing



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Paul et al.

Application No. 10/803,502

Filed: March 17, 2004

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HAVING INTERMETALLIC STRUCTURES
AND INTERMETALLIC DEVICES MADE
THEREBY

Art Unit: 3729

Attorney Reference No. 245-68071-01

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Attorney
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Date Mailed August 26, 2004

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RESPONSE TO NOTICE TO FILE MISSING PARTS

This responds to the Notice to File Missing Parts (Notice) dated June 3, 2004. Applicants submit herewith replacement FIGs. 1-28. FIGs. 24-26 and 28 are black and white prints of color photomicrographs. Applicants are providing the best available black and white figures, and do not believe that color photomicrographs are required to disclose subject matter applicants consider their invention. Furthermore, the color photomicrographs are not of a substantially better quality than the black and white figures. Nevertheless, applicants will provide color photomicrographs on request. These drawings should be considered formal and applicants request that these drawings be accepted by the Patent Office.

Applicants also qualify for small entity status as indicated on the transmittal letter accompanying applicants' application as filed. Small entity fees therefore are required, not large entity fees.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By


Stacey C. Slater
Registration No. 36,011

08/30/2004 BSAYAS11 00000045 10803502

05 FC:2251

55.00 0P

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